App F. IX-4

192 6.-7
(Jaffna)

File No. 26-26

Serial Nos. 1-4

Previous References
365-4 Nos. 1-4
960-22 " 2-8
68-24 " 1-5
~~4~~
4-98
Later References

General and Revenue Secretariat.

Serial Nos. 4

Part B for January 1928

SUBJECT

Archakship of Sri Mulaikanteeswara Swamy Temple at T. Varipuram ——

To

Jaffna Cutchery

No: 1169 of 23.1.28

Directing that the office of the Archakship be conferred upon the petitioner Nanjendah Deekshe the work during his minority being attended by his uncle Subba Sastry

1926

GENERAL AND REVENUE SECRETARIAT.

(Inwards

NOTES.

File No. 26-26

FILE HEADING.

Archakship of Sri Mulastaneswara Swamy temple at T. Narasipur.

From

T. Subba Shastry, guardian for the minor Ranjunda Shastry.

~~No.~~ Petition Dated Received

Diary No.	Enclos. 5	Spare Copies.	Serial No.
2			1

BRIEF ABSTRACT OF LETTER.

Prays that on a re-consideration of the previous order dt 31-3-1926, the archak vacancy in question may be made out in the name of minor Ranjunda Shastry.

NOTES AND ORDERS.

The Reviews-petition is duly stamped. The original order rejecting Ranjunda Shastry's appeal petition has been passed. The endorsement is dated 31st March 1926, while the ~~appeal~~ review petition was

WD 01264—GPB—40,000—17.
App. F. III—2]

General and Revenue Secretariat

Inner File No. 26 of 1926

Serial No.

(Vide Cont. of the D.'s order)

received on 1-7-1926. It is in time.

2 This case relates to the Archakship of Sri Mulasthaneswara Swamy temple at T. Narasipur. The Dy. Coll. before whom the matter went up, directed that the Archaka Varumai be made out in the name of the respt Subba Dikshita, the duties being looked after by the applt (minor Ranjunda Shastry through his Guardian T. Subba Shastry) until further orders, as the respt had other duties elsewhere. Against this order, Ranjunda Shastry having appealed to Govt, the case was heard by the previous members who rejected the appeal (vide endt No. 1265 dt 31-3-1926).

3 Ranjunda Shastry has put in a review-application for a re-consideration of the Govt said order.

4 The Review-application contains some grounds which seem to deserve consideration before the present application is disposed of:—

(i) that Ranjunda Dikshita through whom the opponent-Subba Dikshita derives his title was neither a hereditary nor a registered Archaka as is evidenced by the records of

NOTE—Contn Sheet

Serial No.

now available in the Taluk office and (ii) that as the opponent is the registered Archaka of the temples at Mysore, Tirumakoodlu and Chamarajnagar (noted in the petition) and as he neglected worship for a period of 20 years when the emoluments of the office were low, (during which period the petr's. father - Rama Swamy Shastry improved the finances and services in the temple), his claim to the post does not worthy of consideration as laid down in G.O. dy 15.12.1923 relating to the Archakship of Sri Venugopala Swamy temple at Paschimavahini. Para 5 of the petition may also be [illegible] may a report on the points ~~[illegible]~~ urged in the review application be called for together with the entire records connected with the case?

Submitted for orders.

17.7.26

It is true that the appellant's father worked as archaka for a number of years and at a time when the permanent man the opponent had abandoned the post. But afterwards the permanent

Supt.: Please note on the reasons for review, with reference to G.O.R (D.C's order & facts of the case) & to the order of Govt. on appeal. (8)

NOTE—Contn. Sheet

Serial No

man. Came back & claimed the post, and the Dy Comr who gave the parties a hearing ordered the karanam to be continued in charge of the permanent incumbent, and ~~that~~ the person actually doing the archak duties to continue to do the work as the former's gumasta, and ~~that~~ the remuneration he had hitherto drawn. The Dy Comrs order seems to be quite correct & justifiable, and Govt also confirmed the D.C's order. The fact that the karanam has a number of other appts in other temples is no argument for depriving him of his hereditary post.

The revision application is clearly liable to be rejected; but it seems desirable that as the appellant's father has for a long time been in charge of archaka duties and at a time when the permanent incumbent had abandoned the temple on the score of inadequacy of the endowments, he should not be allowed to change his gumasta at his will & that the appellant

NOTE—Contn. Sheet

WD 01264—GPB—40,000—17-12-25

General and Revenue Secretariat

Order File No 26 of 1926

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Should continue as formerly until changed by the D.J. Court.

BL 8 The D.C's order is full
24.7.26 The D.C has heard the parties, considered the points now urged, & then passed the order continuing the karanam in the name of the permanent incumbent, & the officiator (i.e. the person doing the duties) as the former's gumastha. This order seems correct in the circumstances, & was further confirmed by Govt. (i.e. the last 1st member), on hearing the parties & considering all the points. (K Sf & the notes in the file Muz. No. 68-26 put up below).

9 There seem to be no good grounds for entertaining this revision petition. The Karanam having been actually appointed by is no ground for depriving him of his hereditary work. It is on consideration of this fact, that the gumastha was allowed, in the interests of simple work.

10 The petition may perhaps be rejected in the end.

Rev. Sect) [illegible]

NOTE— Contn. Sheet

WD 01264—GPB—40,000—17-12-25

and Revenue Secretariat | Mercy File No 26 of 192 6

Serial No 11 The office of the Archak was registered in the name of the opponent, namely Subba Dikshit- both Lytis De in his order dated 26.3.26 and by Govt- on appeal in their dated 31.3.26 on the ground that the his ancestors held the Baraward

12 The extracts of presented by the Petr along with his review petn shows that Nanjunda Dikshit- from whom Subba Dikshit- claims has no claim to the Baraward at all. His name was recommended by in 1874 the Barawarder Thirumaiya, of whom he was no relative The order of the De shows that Nanjunda Dikshit- deserted the temple and there was no service for some yrs It is also admitted that the Petr's father, Ramaswami took up the work at the request of the Amildar, improved the resources of the temple & held the office of Archak Ship from 1904 to 1922 ~~the~~ there There is no doubt that the public and the local officers strongly sympathise with the claims of the Petr and what prevented the De from transferring the Baraward to his name was the belief that the ancestors of Subba Dikshit held the office hereditarily. If this is not a fact, as the extracts seem to establish, the has no case at all. The records may be called for

CRN 29.7.26

2nd member

A. Nyes cmer 3/8/26

CRN 3826

Dft. Sulyfal 7/8

AG 6/8/26. 6/8/26 7/8

OFFICE OF THE SECOND ASSISTANT TO COUNCIL 30 JULY 1926 No. 715.

authenticated Copie of Documents)

NOTE—Contn Sheet

General and Revenue Secretariat.

Muz File No. 26 of 1926

Serial No	
2	To the Muz. Comr Letter no. 252 Dy 10.8.26. Calls for report & the records in the review petition.
3.	From, the Muz. Comr Letter no. C.213 Dy 4.11.27 Submits the report called for in the subject. From a perusal of Taluka Auildar's report no. 197 Dy 12.1.2 it is seen that the opponent Subba Dikshith (and his predecessor Ranjuda Dikshith) were not permanent karavardars of the Shimiah (karavardar Deccha). It is also reported that the records connected with the extracts of 1874 produced by the petr are not available. (These extracts, it will be seen, are authenticated copies
	In the light of the facts now reported, the proceedings seems to require revision and if Directed, this case will be posted for hearing before the review petition is disposed.

SEC ... CIL 3084

The parties were heard when the ... (illegible)

Yes. If possible 17th inst

6(12/27)

NOTE.—Contn. sheet

... 60,000—21 5 27

2nd Member 2/12/27

General and Revenue Secretariat. | File No 26 of 1926.

Serial No.

D/d. notices Issued.
8/1/27.

23 Issue
MW
8/1

24 Appellant present. Notice not served on Respondent as he is reported to be residing in My Sore & not in T. Narsipur Case adjourned to 14th inst. 7th Jany 25.
Every effort should be made to have notice served on respondent before date of hearing.
CMS
17-12-25

9th Jany 1925

(notices issued on the 17th inst)

3694
9-1-28

25 Case heard on 9th January 1925.

Petitioner.- Nanjunda Sastri - minor, son of Ramasvamy Sastri by Guardian T.Subba Sastri. (through Advocate Mr.E.S.Venkataramanan.)

Counter-Petitioner. Subba Dikshita.

O R D E R.

26 The Deputy Commissioner's order dated 26th March 1924 and the order of Government dated

9889
9/1/27

NOTE.—Contn sheet

WD 0321—GPB —60 000—24 5 27

Serial No.

dated 31st March 1926 which upheld the former were both based on the assumption that the archakship of Sree Mulasthaneswaraswami Temple at T.Narsipur was hereditary in the family of the Counter-Petitioner. The reports of the local authorities and extracts from Taluk records since obtained, show that the archak of the temple was one Thimmappayya, that he died about the year 1874, that he left no heir to claim the office, and, that accordingly Nanjunda Dikshita, a minor, was appointed as archak, the duties of the office being performed by his brother Doddathaya. The office again fell vacant in 1897 when Nanjunda Dikshita left the place and the work was entrusted to some others in the interval between 1897 and 1903. From 1904 one Ramaswami Sastri was appointed as archak and he is reported to have died in 1923 and the Petitioner is the son of this Ramaswami Sastri. It is thus clear that neither the family of the Counter-Petitioner, nor of the Petitioner has any hereditary claim to this office. The ancestors of the Counter-Petitioner held the office for some time and gave it up so far back as 1897. The work is being performed by a member of the family of the Petitioner since 1904. Neither the Petitioner nor the Counter-Petitio-

NOTE.—Contn. sheet

General and Revenue Secretariat. Muz. File No. 26 of 1926.

Serial No.

Petitioner has any right to the office and the question as to who should be recognised as the archak, has, therefore, to be settled on considerations other than that of hereditary hak. There is a representation of the people of T.Narsipur requesting that the Petitioner may be registered as the archak. The ~~Petitioner's~~ father of the Petr. is reported to have contributed much to the improvement of the Institution and the work of the office was performed by him for about twenty years ~~by the Petitioner's father~~ and they are since being attended to on ~~his~~ the Petr. behalf by his uncle and guardian. It is reported that the Counter-Petitioner holds other offices of archakships. It is also stated that while the Petitioner is a resident of T.Narsipur, the Counter-Petitioner is not. In view of all these considerations, it will be in the interests of the temple to confer the office of ~~the~~ archakship on the Petitioner and this is accordingly ordered. During the minority of the Petitioner, the work will continue to be attended ~~as now~~ by Subba Sastri, the Petitioner's uncle and guardian.

Draft order Please. 9-1-28

9/1/28

NOTE—Contn. sheet

AWD 0324—GPB—60,000—24-5 27

11

568

App. F. III—2]

General and Revenue Secretariat. Mer File No. 26 of 1926-27

Serial No.

W. order submitted

12.1.28

12-1-28

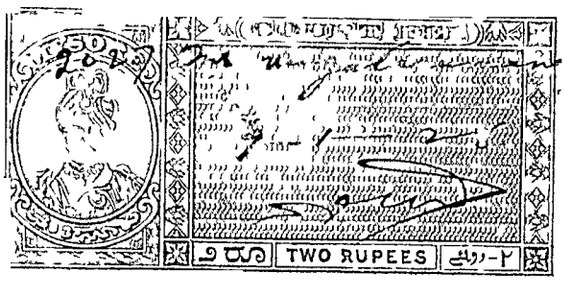
Issue 16/1

4 To. mur Court
Memo. No 1169 & 25.1.28
forwards copy of the order directing that the Office of Archakship be Conferred upon the petr. - Narayanadeekshitar the work during his minority being attended to by his uncle Subba Sastry.

NOTE.—Contn. sheet

WD 0324—GPB—60,000—24-5 27

Before member on 9.1.25



Before Hon Govt of H.H. the Maharaja of Mysore

~~In the Court of the~~

Mysore ~~CASE~~ Petn. No. OF 192 —192

~~Appellant Plaintiff~~ Petitioner

~~Respondent Defendant~~ Opponent

Ranjuda Sahj VS Subba Dikshit

1. I The Petr. ..above named do, by these presents retain Messrs ~~L. Venkataramanayya, B A~~ . B L , and E S Venkataramanan, B A , B L , Advocates to appear and conduct the above case on ..My....behalf to Judgment.

2. I further empower them to execute any decree or order that may be passed in ... My ..behalf, and to receive from Court such sums of money as I..... may be entitled to get and to grant receipts therefor, to withdraw, compromise or refer to arbitration the said suit, to appoint a substitute or substitutes and to act and perform all other matters and things relative thereto and connected therewith

3. I also undertake to confirm and ratify all the legal acts done by the said Advocates in so doing.

ಇ. ಕೆಂಚಪ್ಪಗೌಡ

ಮಾಡಿಕೊಟ್ಟವರು

Accepted

E S Venkataramanan

ADVOCATES FOR Petr

9.1.28

Signed before me and personally known to me,

ADVOCATES FOR

Muz 4]

SUBJECT .....

Diary No. of letter replied to _____

Section Muz.

File No. 24 - 25

Serial No. —

Muzrai Secretariat

( )

, *the* *192* .

No. 2534 one fair

Date of issue 20 - 8 - 26

Signed by Yeramilli Rama Rao

To

The Muz. Comr.

Sir,

I am directed to forward herewith for report with records at an early date, the Review application no. 2 of 29-6-26 from T. Subba Shastry praying that on a re-consideration of the previous order no. 1265 of 31-3-1926 in Archaka Paramparai of Sri Muktambika Swami Temple at T. Narsipur

over.

14
re made out in the name
of Minor Nanjunda Shastry,
~~and to request that the~~ We
original Records ~~of~~ leading
to the orders of 1874-5 ~~Copies~~ Repd to in the Extracts
~~of which have been received~~ sent with the Petn
~~with the petition~~, may also
be sent upon ~~an order to that~~
~~effect being~~ ~~transmitted~~
thereto.

Sd/- J. Rangacharlu
Sd/- [illegible]

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2 500—27 7 22

C 213/26-27 Office of the Muzrai Commissioner in Mysore.
Two files

Dated Bangalore, 2nd/4 November 1927.

GEN. & REV. SECRETARIAT
7 NOV 1927
MUZRAI
D568

From

P. G. D'Souza, Esq., B.A., P.L.,
Muzrai Commissioner in Mysore,
Bangalore.

To

FINANCIAL SECRETARY
5 NOV. 1927
No. 6821

R. Srinivasa Iyengar, Esq., B.A., P.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

Sir,

With reference to your letter No.253/Muz.26-26-2 dated 10th August 1927 and subsequent reminders forwarding for report with records the review application dated 29th June 1927 from T.Subba Sastry guardian for the minor Nanjunda Sastry praying that on a reconsideration of the previous order No.1265 dated 31st March 1926 the archak hereward of Sri Mulastaresvaraswamy temple at T.Narasipur be made out in the name of minor Nanjunda Sastry, I have the honor to submit herewith copy of letter No.H1-123/26 dated 25/26th October 1927 from the Deputy Commissioner, Mysore District, submitting the connected records and stating that the facts of the case are contained in the preamble to his office order No.R.Dis-52 of 23-24 dated 26th March 1924/7th April 1924.

The records received with his letter are herewith submitted for reference and kind return.

The appeal petition with its enclosures received with your letter is also herewith retransmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Asst Commissioner
for Muzrai Commissioner.

Assistant from Station

Letter No.H1-123/26 dated 25/27th October 1927 from the Deputy Commissioner Mysore District, to the Muzrai Commissioner in Mysore.

Subject:--Sri Mulasthaneswara temple - T.Narsipur, archak - Paraward-appeal record. ---

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"With reference to your letter No.C.213 of 26-27 dated 14/16th August 1926 requesting the submission of report with records on the review application from T.Subba Sastry guardian to Manjunda Shastry praying for the reconsideration of Government Order No.1265/Muz.66-24-5 dated 31st March 1926 in the matter of the archak paraward of the Sri Mulasthaneswaraswamy temple at T.Narsipur,' I have the honor to submit herewith the connected records ending with Manjangud Sub --- Division Officer's Memo No.A-2-296/27-28 dated 19th September 1927. There was delay in the submission of the record as the same was somewhere mislaid in the Sub Division Office at Manjangud and recently found after a thorough search made.

2. The facts of the case are fully set forth in the preamble to this office order No.R.Dis.52/23-24 dated 26th March/7th April 1927 and in endorsement dated 31st March 1926 issued from Government to

Before the Government of His Highness the Maharaja of Mysore.

Appeal No. 8 of 1927-8.

Appellant. Vs. Respondent

Ranjuda Shastry minor son of Ramaswamy Shastri, by guardian T. Subba Shastri.

Subject.

Review - applicat T. Subba Shastri, for the minor Ra Shastry praying a re-consideration No. 1265 dy 31. 3. The archaka Lara Sri Mallikarjunesw temple at T. Na be made in name of minor Shastry

GPB—1,000—8-8-11

was heard on
16th Jany. 1927 etc. etc.

Copy Para 26 ~~23 & 26 & 27 & 28~~
of
Standing Members order.

1169 — 1 & 26-26 — 1 a 23rd January 28 Sent. Thro' Police.
Copy of the above
forwarded to the M.C. in
same Refg. the records
cited with his letter
213 dt 4—11—1927

B.O
Asst. Secty.

Appeal No. 8 of 1927-28

Appellant. ~~xxxxxx~~ Petitioner	*Vs*	Respondent ~~xxxxxx~~ Counter petitioner
Nanjunda Shastry minor son of Ramaswamy Shastri by guardian T. Subba Shastry.		Subba Dikshith, Archak.

Subject.

Review application from T. Subba Sastry, guardian for the minor Nanjunda Shastry praying that on a reconsideration of Government order No. 1265 dated 31st March 1926, the Archak barawardar of Sri Mulastaneswara Swamy temple at T. Narsipur be made out in the name of minor Nanjunda Shastry.

Order.

The case was heard on 9th January 1928. The Deputy Commissioner's order dated 26th March 1924 and the order of Government dated 31st March 1926 which upheld the former, were both based on the assumption that the archakship of Sree Mulasthaneswaraswami temple at T.Narsipur was hereditary in the family of the Counter-petitioner. The reports of the local authorities and extracts from Taluk records since obtained, show that the archak of the temple was one Thimmappayya, that he died about the year 1874, that he left no heir to claim the Office, and that accordingly Nanjunda Dikshita, a minor, was appointed as Archak, the duties of the Office being performed by his brother Aswathayya. The Office again fell vacant in 1897 when Nanjunda Dikshita left the place and the work was entrusted to some others in the interval between 1897 and 1903. From 1904 one Ramaswami Sastri was appointed as Archak and he is reported to have died in 1923 and the Petitioner is the son of this Ramaswami Sastri. It

GPB—1,000—8-8-11

It is thus clear that neither the family of the Counter-petitioner nor of the petitioner, has any hereditary claim to this office. The ancestors of the counter-petitioner held the Office for some time and gave it up so far back as 1897. The work is being performed by a member of the family of the petitioner since 1904. Neither the petitioner nor the counter-petitioner has any right to the Office and the question as to who should be recognised as the archak, has, therefore, to be settled on considerations other than that of hereditary hak. There is a representation of the people of T. Narsipur requesting that the petitioner may be registered as the Archak. The father of the petitioner is reported to have contributed much to the improvement of the institution and the work of the Office was performed by him for about twenty years and they are since being attended to on the petitioner's behalf by his uncle and guardian. It is reported that the counter-petitioner holds other offices of archakships. It is also stated that while the petitioner is a resident of T.Narsipur, the counter-petitioner is not. In view of all these considerations, it will be in the interests of the temple to confer the Office of archakship on the petitioner and this is accordingly ordered. During the minority of the petitioner, the work will continue to be attended by Subba Sastry, the petitioner's uncle and ~~xx~~ guardian.

Memo No. 1169 dated, Bangalore, the 23rd January 1928.
Mys 26-26-4

Copy of the above is forwarded with compliments to the Muzrai Commissioner in Mysore returning the records received with his letter No. C.213 dated 4th November 1927.

By order,

Fair draft

Secretary to Government,
Financial Department.